

Chapter 66 PLANNING*

***Cross reference(s)**--Any ordinance adopting or amending a comprehensive plan saved from repeal, § 1-11(a)(9); administration, ch. 2; buildings and building regulations, ch. 10; community development, ch. 18; environment, ch. 26; historical preservation, ch. 38; streets, sidewalks and other public property, ch. 74; subdivision and other land divisions, ch. 78; utilities, ch. 94; vegetation, ch. 98; waterways, ch. 106.

State law reference(s)--Municipal planning, MCL 125.31 et seq.

ARTICLE I. IN GENERAL

Secs. 66-1--66-30. Reserved.

ARTICLE II. PLANNING COMMISSION*

***Cross reference(s)**--Boards and commissions, § 2-281 et seq.

Sec. 66-31. Created; composition; appointment of members.

A city planning commission is hereby created to consist of six members, who shall represent, insofar as possible, different professions or occupations, and who shall be appointed by the mayor, subject to approval by a majority vote of the members-elect of the city commission. In addition, the mayor, one of the administrative officers of the city selected by the mayor and one member of the city commission elected by it shall be members ex officio of the planning commission.

(Code 1975, § 2-135)

State law reference(s)--Authority to create a planning commission, MCL 125.32; composition of planning commission, MCL 125.33.

Sec. 66-32. Terms of members; filling of vacancies.

- (a) The term of each appointed member of the planning commission shall be three years. All members shall hold office until their successors are appointed.
- (b) The terms of ex officio members of the planning commission shall correspond to their respective official tenures, except that the term of the administrative official shall terminate with the term of the mayor selecting him.
- (c) Vacancies on the planning commission occurring otherwise than through the expiration of a term shall be filled for the unexpired term by the mayor, in the case of members selected or appointed by the mayor, and by the city commission in the case of the city commission member.

(Code 1975, § 2-136)

State law reference(s)--Similar provisions, MCL 125.33.

Sec. 66-33. Members to hold no other city office; exception.

The appointed members of the planning commission shall hold no other municipal office, except that one of such appointed members shall be a member of the board of zoning appeals.

(Code 1975, § 2-137)

State law reference(s)--Similar provisions, MCL 125.33(1).

Sec. 66-34. Members not compensated.

All members of the planning commission shall serve as such without compensation.

(Code 1975, § 2-138)

State law reference(s)--Planning commission compensation, MCL 125.33(1).

Sec. 66-35. Removal of members.

Members of the planning commission, other than the member selected by the city commission, may be removed by the mayor for neglect of duty and malfeasance in office, and the city commission may, for like cause, remove the member selected by it.

(Code 1975, § 2-139)

State law reference(s)--Removal of members, MCL 125.33(1).

Sec. 66-36. Appointment of director.

The city manager shall appoint a chief executive officer of the planning commission, or department, who shall be the director of the planning commission.

(Code 1975, § 2-140)

Sec. 66-37. Election and term of officers.

The planning commission shall elect its chairman from among its appointed members and fill such other of its offices as it may determine. The term of the chairman shall be one year with eligibility of reelection.

(Code 1975, § 2-141)

State law reference(s)--Similar provisions, MCL 125.34.

Sec. 66-38. General powers and duties.

The planning commission shall have and exercise all of the powers granted to it under the provisions of Public Act No. 285 of 1931 (MCL 125.31 et seq.), and shall perform all of the duties on its part to be performed as provided in such act and shall be subject to all of the regulations therein provided.

(Code 1975, § 2-142)

Sec. 66-39. Meetings; rules; records.

The planning commission shall hold at least one regular meeting in each month and shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

(Code 1975, § 2-143)

State law reference(s)--Similar provisions, MCL 125.34.

Sec. 66-40. Employees; service contracts.

The planning commission may appoint such employees as it may deem necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same provisions of law as govern other corresponding civil employees of the city. The planning commission may also contract with city planners, engineers, architects and other consultants for such services as it may require.

(Code 1975, § 2-144)

State law reference(s)--Similar provisions, MCL 125.35.

Sec. 66-41. Limitation on expenditures; city commission to provide funds, equipment, etc.

The expenditures of the planning commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the city commission, which shall provide the funds, equipment and accommodations necessary for the work of the planning commission.

(Code 1975, § 2-145)

State law reference(s)--Similar provisions, MCL 125.35.

Secs. 66-42--66-70. Reserved.

ARTICLE III. STREET OR ALLEY VACATION OR RENAMING

Sec. 66-71. Procedure for street changes.

Streets and alleys or parts thereof shall be opened, closed, vacated, extended, widened or the name of an existing street or alley changes in accordance with the procedure in this article.

(Code 1975, § 19-50)

Sec. 66-72. Petition for changes; fee.

Any person desiring any of the action set forth in section 66-71 shall file a written petition for such relief with the zoning administrator, together with a fee in the amount

established by resolution to cover the cost of publication, recording and other administrative expenses attendant to the proceeding.

(Code 1975, § 19-51)

Sec. 66-73. Public hearing.

Upon receipt of the petition and accompanying fee, the zoning administrator shall submit the petition to the planning commission which shall proceed as follows:

- (1) A public hearing on the petition shall be determined and published in a newspaper of general circulation in the city at least ten days prior to the hearing.
- (2) Service of notice of the time and place of the public hearing shall be mailed by first class mail to all owners of property assessed for taxation which adjoins the affected street or alley and to such other persons as the planning commission, after review of the petition, shall deem affected in the event the petition is granted.
- (3) Following the public hearing, the planning commission shall recommend to the city commission whether all or part of the petition should be granted.

(Code 1975, § 19-52)

Sec. 66-74. Determination to grant petition.

The city commission shall determine whether or not all or any part of the petition should be granted, and shall reserve any necessary easements within the right-of-way of any street, alley or other public land vacated pursuant to such petition for public utility purposes and other public purposes.

(Code 1975, § 19-53)

State law reference(s)--Similar provisions, MCL 560.265.

Sec. 66-75. Record of petitions granted.

The city clerk within 30 days following the resolution of the city commission granting all or part of any such petition shall record a certified copy of such resolution with the office of the register of deeds for the county, giving the name of the plat or plats affected and, thereafter, shall send a copy thereof to the treasurer of the state.

(Code 1975, § 19-54)